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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:
Gerald FOURNAND *et al.*

Serial No.: 10/598,979

Filed: September 15, 2006

For: OPTICAL LENS HOLDER

Group Art Unit: 2837

Examiner: Unknown

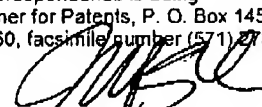
Atty. Dkt. No.: ESSR:124US

Confirmation No.: 2813

CERTIFICATE OF FACSIMILE TRANSMISSION
37 C.F.R. § 1.8

I hereby certify that this correspondence is being transmitted to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA, 22313-1450, facsimile number (571) 273-8300 on the date below:

December 11, 2007
Date


Mark B. Wilson

DECLARATION OF MARK B WILSON
IN SUPPORT OF PETITION UNDER 37 C.F.R. § 1.181

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I, Mark B. Wilson, declare under penalty of perjury that:

1. I have personal knowledge of the facts below.
2. I am a Partner of Fulbright & Jaworski L.L.P., located in the Austin office at 600 Congress Avenue, Suite 2400, Austin, Texas, 78701.
3. I have been registered to practice before the United States Patent and Trademark Office since 1993, under Registration Number 37,259.


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4. I am submitting this declaration in support of the concurrently filed Petition under 37 C.F.R. 1.181 (the "Petition") requesting that the Director refund the extension fees in the amount of \$2,230.00 submitted with the concurrently filed Response to Notification of Insufficient Fees.
5. I am the attorney who filed this application and am responsible for handling the prosecution of this application.
6. I have reviewed the series of events described in the Petition with the support staff in my office and attest to the accuracy of those events.
7. Our office scans all documents and papers received from the U.S. Patent and Trademark Office into an electronic image file as part of its docketing practice. All such documents are also docketed in the firm's central docketing system and in the responsible attorney's back-up docket.
8. I have reviewed our firm's docketing records for this application and scanned images of mail received from the U.S. Patent and Trademark Office in regard to this application, and attest that our office received the official Filing Receipt for this application dated May 11, 2007, but there are no records that indicate that we received the Notification of Insufficient Fees dated May 11, 2007.
9. To the best of my knowledge after a review of records at our firm, our office never received the Notification of Insufficient Fees dated May 11, 2007. Evidence of receipt of such Notification, if it had been received, would have normally appeared in the central docketing system of the firm, the responsible attorney's back-up docket, and the scanned image file; however, such evidence did not appear in any of these places.

10. All statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued on it.

Signed: 

Mark B. Wilson
Reg. No. 37,259

Dated: December 11, 2007